

ORDER OF DISMISSAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAMES EDWARD WILLIAMS,)	No. C 12-1116 RMW (PR)
)	
Plaintiff,)	ORDER OF DISMISSAL
)	
v.)	
)	
CASTILLO,)	
)	
Defendants.)	
_____)	

On March 6, 2012, Plaintiff, a state prisoner proceeding pro se, filed a federal civil rights complaint. The same day, the clerk notified plaintiff that he had not paid the filing fee, nor had he filed a completed application to proceed in forma pauperis (“IFP”). Along with the deficiency notice, plaintiff was provided with a new IFP application, and instructions for completing it. Plaintiff was cautioned that his failure to either file a completed IFP application or pay the filing fee within thirty days would result in the dismissal of this action. On March 23, 2012, plaintiff filed a motion for leave to proceed IFP. However, the Certificate of Funds was insufficient because it was not signed by an authorized officer of the prison. On March 28, 2012, the clerk notified plaintiff of this deficiency, and again directed plaintiff to file a completed IFP application or pay the filing fee within thirty days, or face dismissal of this action.

To date, plaintiff has not complied. Accordingly, the instant action is DISMISSED without prejudice to plaintiff filing a new action in which he either pays the filing fee or files a completed IFP application. The clerk shall enter judgment and close the file.

IT IS SO ORDERED.

DATED: 1 DECEMBER 2012


RONALD M. WHYTE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JAMES E WILLIAMS,
Plaintiff,

Case Number: CV12-01116 RMW

CERTIFICATE OF SERVICE

v.

CEBALLOS et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 5, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

James Edward Williams V-54214
Salinas Valley State Prison
Housing: A-5-143
P.O. Box 1050
Soledad, CA 93960

Dated: June 5, 2012

Richard W. Wieking, Clerk
By: Jackie Lynn Garcia, Deputy Clerk